

Message Text

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15

ORIGIN EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

DOT-00 INR-10 NSAE-00 RSC-01 FAA-00 L-03 (ISO) R

DRAFTED BY EB/AN:MHSTYLES:DAP

APPROVED BY EB/AN:MHSTYLES

EUR/CE - MR. FLATIN

EB/AN - MR. PARR

EB/OA - MR. MEADOWS

CAB - MR. CHESN (SUBS)

----- 044538

R 202007Z MAR 74

FM SECSTATE WASHDC

TO AMEMBASSY BERN

UNCLAS STATE 055667

E.O. 11652: N/A

TAGS: ETRN, SZ

SUBJECT: CIVAIR - CHARTER UNDERSTANDING

REF: BERN 1066

1. EMBASSY REQUESTED DELIVER FOLLOWING RESPONSE FROM
MEADOWS TO STURZENEGGER:

"I HAVE RECEIVED YOUR TELEGRAM SENT VIA US EMBASSY AT
BERN REGARDING AN EXCHANGE OF LETTERS ON ACCEPTANCE OF THE
RULES OF COUNTRY OF ORIGIN WITH RESPECT CHARTERWORTHINESS.
I WAS ON THE VERGE OF SENDING YOU A LETTER ON THIS MATTER,
PURSUANT TO OUR CONVERSATION IN WASHINGTON, MAKING A PRO-
POSAL FOR YOUR CONSIDERATION, AND THEREFORE AM NOT ONLY
SURPRISED BUT DEEPLY CONCERNED OVER YOUR POSITION THAT ALL
APPLICATIONS FROM US CARRIERS FOR CHARTER FLIGHTS IN 1974
WILL BE DENIED UNTIL A MUTUALLY SATISFACTORY SOLUTION IS
REACHED ON THE OPERATION OF SWISS ORIGIN TRAFFIC. SUCH A
POSITION CAN HARDLY PROVIDE A SUITABLE CLIMATE TO RESOLVE
A MATTER WHICH POSSIBLY COULD BE RESOLVED ROUTINELY.
MOREOVER, I FIND YOUR POSITION INCONSISTENT WITH THE
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FACT THAT THE PROCEDURAL DIFFICULTY OVER ENTERING INTO A

DEFINITIVE AGREEMENT (THE SOLUTION WORKED OUT WITH OTHER EUROPEAN STATES) LIES ON THE SWISS SIDE, RATHER THAN ON OUR SIDE.

"WE HAVE BEEN CONSIDERING POSSIBLE WAYS IN WHICH WE COULD DEAL WITH YOUR PROPOSAL AND WOULD BE PREPARED IN PRINCIPLE TO HAVE AN EXCHANGE OF LETTERS ON THIS MATTER. I SUGGEST THAT THE MOST EXPEDITIOUS PROCEDURE WOULD BE FOR YOU TO SEND US A DRAFT LETTER WHICH WOULD INCLUDE THE NECESSARY INFORMATION WE NEED ON THE SWISS CHARTER RULES FOR REVIEW BY US AERONAUTICAL AUTHORITIES. ASSUMING NO PROBLEM, MY RESPONSE WOULD CONFIRM THE ARRANGEMENTS." THE DRAFT TEXT OF SUGGESTED LETTER FOLLOWS:

"DEAR MR. MEADOWS:

"FURTHER TO YOUR RECENT DISCUSSION WITH MR. KARL STURZENEGGER REGARDING THE QUESTION OF APPLYING THE RULES OF ORIGIN TO CHARTER TRAFFIC BETWEEN OUR TWO COUNTRIES, I HAVE SET FORTH BELOW THE RULES UNDER WHICH CHARTERS ORIGINATING IN SWITZERLAND WILL OPERATE THIS YEAR:

"WE INTEND TO PROVIDE FOR ADVANCE BOOKING CHARTERS, AFFINITY CHARTERS, AND INCLUSIVE TOUR CHARTERS ORIGINATING IN SWITZERLAND. (ADD OTHER TYPES, E.G., "SPECIAL EVENT," IF THIS IS SWISS GOVERNMENT'S INTENTION).

"WE SHALL REQUIRE THAT ADVANCE BOOKING CHARTERS BE CONSISTENT WITH THE "DEFINITION AND MAIN CONDITIONS" SET FORTH IN THE RECOMMENDATION ADOPTED BY THE FIFTH INTERMEDIATE SESSION (SPECIAL) OF THE EUROPEAN CIVIL AVIATION CONFERENCE, WITH THE FOLLOWING EXCEPTIONS: (LIST HERE 60-DAY LIST FILING, MINIMUM STAY CHANGES, COMMINGLING WITH OTHER CHARTER TYPES, ETC. IF, HOWEVER, A SWISS RULE HAS BEEN ADOPTED WHICH SETS FORTH ALL CONDITIONS, IT WOULD BE PREFERABLE THAT A COPY OF IT BE ATTACHED.)

"THE FOLLOWING REQUIREMENTS MUST BE MET FOR AFFINITY
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FLIGHTS ORIGINATING IN SWITZERLAND: (LIST).

"THE FOLLOWING CONDITIONS CONSTITUTE AN INCLUSIVE TOUR CHARTER ORIGINATING IN SWITZERLAND: (LIST).

"WE HAVE EXAMINED THE ECONOMIC REGULATIONS AND SPECIAL REGULATIONS OF THE US CIVIL AERONAUTICS BOARD REGARDING CHARTER FLIGHTS AND, ON A RECIPROCAL BASIS, ARE WILLING

TO ACCEPT AS CHARTERWORTHY FLIGHTS ORIGINATED IN THE UNITED STATES AND ORGANIZED AND OPERATED CONSISTENTLY WITH THOSE RULES. WE HAVE ALSO EXAMINED CERTAIN OF THE MEMORANDA OF UNDERSTANDING BETWEEN THE UNITED STATES AND SOME EUROPEAN COUNTRIES CONCERNING "ADVANCE CHARTERS," AND ARE AGREEABLE TO ADOPTION BETWEEN US OF THE ADMINISTRATIVE AND ENFORCEMENT PROCEDURES OUTLINED THEREIN.

"IF THESE ARRANGEMENTS ARE ACCEPTABLE TO YOU, I PROPOSE THAT THEY BE PLACED IN EFFECT ON THE DATE OF YOUR REPLY TO THAT EFFECT, AND THAT THEY REMAIN IN EFFECT THROUGH DECEMBER 31, 1975.

"SINCERELY,

"DIRECTOR

"SWISS OFFICE OF AVIATION." KISSINGER

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Message Attributes

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Disposition Authority: n/a
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Disposition Event:
Disposition History: n/a
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TAGS: ETRN, SZ, US
To: BERN
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